(37)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 1822 OF 2002

BETWEEN

Videshi Kumar Patel S/o Narayan Lal Patel, aged about 32 years, Resident of Village and Post Manikpur, Baramkela, Tahsil Sarangarh District Raigarh, presently working as daily wages employee in P.W.D. Raigarh (CG).

PETITIONER

P.R. No. 1839/R
Presented by Shri Rakesh Pathak
dated 5.9.02

A N D

1. The State Administrative Tribunal, Bench at Raipur, through its Registrar, State Administrative Tribunal, Bench Raipur, Tahsil and District Raipur (CG).

2. The State of Chhattisgarh, Through the Secretary Department of Public Works, Mantralay, D.K.S. Building, Raipur (CG).

3. The Executive Engineer, Public Works Department, Vindhyachal Bhawan, Raigarh, Tahsil and District Raigarh (CG).

RESPONDENTS

S 0218/R

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

1. Particul...

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 1822/2002 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

23.6.2003:

Shri Rakesh Anthony counsel for the petitioner.
Shri P.S.Koshy GA for respondent No.2.
Heard both the counsel.

The petitioner has in this petition challenged the order dated 12.4.2002 passed by respondent No.1 as per annexure P-1 and the order dated 31.1.2000 passed by respondent No.3 as per annexure P-2. The petitioner was working as a Daily Wage Worker in the Public Works Department. The petitioner and other persons were appointed for the purpose of specific work of construction of roads, bridge and buildings, and after completion of that work services of all the daily wage workers including the petitioner were terminated by respondent No.3 as per annexure P-2 on the ground that the work for which they were appointed has been completed. The said order passed by respondent No.3 (Annexure P-2) was challenged by the petitioner before the State Administrative Tribunal Bench at Raipur, the respondent No.1 herein, and the Tribunal has passed the impugned order vide annexure P-1. It is seen from annexure P-1 that the Tribunal has observed that petitioner was working as a daily wage employee and in view of the judgment of the Division Bench of M.P. State Administrative Tribunal, Principal Bench, in the matter of Raj

[पीछे देखिये

(56)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 1822/2002 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Kamal Sen Vs. State of M.P. and others, 2001 MPLSR, 458, the Tribunal has no jurisdiction to decide the petition filed by the petitioner and accordingly disposed of the same with an observation that the petitioner is at liberty to seek remedy before appropriate forum.

In view of the admitted facts and circumstances of the case and in view of the aforesaid judgment on which the Tribunal has relied, we are of the opinion that it is not a fit case for admission. Thus the petition has no substance and the same is liable to be dismissed. Accordingly, the petition is **dismissed**.

Sd/-
Chief Justice

Sd/-
L.C.BHADOO
Judge

[पीछे देखिये